

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY FIEBIG *et al.*,

Plaintiffs,

v.

LUTHER BURBANK SAVINGS *et al.*,

Defendants.

Case No.: C-12-00755 YGR

**ORDER OF DISMISSAL FOR FAILURE TO
PROSECUTE**

On March 16, 2012, Defendant Luther Burbank Savings filed a Motion to Dismiss. Dkt. No. 8. Plaintiffs' opposition was due on April 2, 2012. *See* Civ. L.R. 5-5(a) & 7-3(a); Fed. R. Civ. P. 6. After Plaintiffs failed to file an opposition, on March 30, 2012, the Court ordered Plaintiffs to file an opposition to the Motion to Dismiss by no later than April 23, 2012, or face dismissal of the action for failure to prosecute. Dkt. No. 10. Plaintiffs again failed to respond.

Accordingly, pursuant to Federal Rule of Civil Procedure 41, this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute.

The May 8, 2012 hearing is hereby **VACATED**.

This Order Terminates Docket Number 8.

IT IS SO ORDERED.

Dated: May 4, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE